

REMARKS

In an office action dated October 6, 2005, all pending claims (claims 1-23, 25-28, and 31-41) were rejected under 35 U.S.C. 103(a) as unpatentable over Angwin et al. in combination with one or more references. In response, applicant has amended the claims and submits the following remarks.

Amendments to the claims: Prior to this amendment, claims 1-23, 25-28, and 31-41 were pending in this application. By this amendment, claims 11, 40, and 41 are cancelled and new claims 42-52 are submitted; accordingly claims 1-10, 12-23, 25-28, 31-39, and 42-52 are now presented for examination.

None of the amendments add new matter to the claims; particularly, support for the amendments and the new claims is found throughout the application, as explained in more detail below.

Rejections under 35 U.S.C. 103

Claims 1-6, 8-13, 16, 17, 19-33 and 35-41 were rejected under 35 U.S.C. 103(a) as being unpatentable over Angwin et al. (WO 00/41416) in view of Pascazi (US 2004/0218571).

Claims 7 and 34 were rejected under 35 U.S.C. 103(a) as being unpatentable over Angwin and Pascazi, in view of Brachman et al. (Brachman, U.S. 6,704,576.)

Claims 13 and 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Angwin and Pascazi, in further view of Raniere et al. (U.S. 2004/0210635.)

In response, applicant has amended the claims to include features not disclosed in Angwin, Pascazi, Brachman, or Raniere, including a system that sends and receives packetized data including data packets that have a first internet protocol format and a second protocol format, a voice coder for decoding/encoding the first internet protocol format and a CODEC for

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decoding/encoding the second internet protocol format, as further described and shown in the specification and drawings. In addition, the claims have been amended for clarity, and to describe the relationships with these features and the other claimed elements.

None of the amendments add new matter to the claims; particularly, support for the amendments and the new claims is found throughout the application. For example, support for "packetized data" and the two internet protocol formats is found in paragraph 20 of the specification:

[0020] ...Voice data 34 is data 30 passed over the internet protocol connection 50 according to standards for real-time audio packetized information, as is known in the art, while non-voice data 36 may be passed over the internet protocol connection 50 in standard internet connection packets... [Paragraph 20]

Therefore it should be clear that the specification discloses two examples of different internet protocol formats that can be sent over the internet connection; particularly, real-time audio packetized information is an example of packetized data that has the first internet protocol format, and the standard internet connection packets is an example of packetized data that has the second internet protocol format, as claimed. Advantageously, packetized information can be sent whenever the bandwidth is available, and does not require a dedicated channel or time slot.

Support for the voice coder and the CODEC is found in the application, for example, in Fig. 1 (reference number 70 is the CODEC, reference number 72 is the voice coder), and is discussed with reference thereto. ("The voice coder 70 is preferably a hardware or software device for decoding and encoding audio information...") [page 7, paragraph 23]. Support is also in original claims 12 and 39. In other words, the specification and drawings disclose packetized data, and two separate coder/decoders as claimed.

Support for the amendment to claim 13 is found in paragraph 24 of the specification:

[0024] ... In the preferred embodiment, the first internet protocol 60a substantially eliminates latency in the broadcast 60, thereby improving the voice communications broadcast 60. In order to eliminate latency, the broadcasts 60 may occur at communication rates of up to 2 MegaBits per second. [page 7, paragraph 24].

Support for the amendment to claim 22 is at paragraph 22, as described in more detail in the "New claims" section of this response.

None of the cited references disclose the claimed system, including a system in which 1) packetized data is communicated using a first or a second internet protocol format, 2) a voice coder is used to decode and encode the first format, and 3) a CODEC is used to decode and encode the second format, and therefore for those reasons alone the claims are inventive over the cited references.

Angwin appears to imply a decoder ("...means for decoding received audio information packets and control information packets" [Angwin, page 7, lines 19-20]; however two or more decoders are not disclosed or suggested. Also, Angwin discloses that the voice and control data are sent using a common format, specifically: "The voice data packets and control packets are transmitted using a common transport protocol" [Angwin, page 6, lines 17-18]. Therefore for at least those reasons the claims are distinguishable over Angwin.

Furthermore, the Examiner alleged that Pascazi discloses a system wherein the controller switches the wireless device to a first internet protocol for the broadcast of the voice data and the other voice data, and switches the wireless device to at least one second internet protocol format for the broadcast of the non-voice data and the other voice data. (Page 1 [0009] and page 4 [0037, 0042]). However, applicant can find no supporting disclosure in Pascazi for this

statement. Pascazi discloses two internet protocol interfaces (one on each wireless device) that communicate with each other. There is no suggestion to put two wireless interfaces on a single device, nor would there be any conceivable reason to implement two wireless interfaces in a single device in place of a simple hardware connection that can be implemented at a much lower cost. Furthermore there is no discussion of both a first and a second internet protocol format as claimed (the only discussion is of a first interface on the first wireless device, and a second interface on the second wireless device). Particularly, Pascazi does not teach using packetized data as claimed, in which the data may have one of at least two internet protocol formats.

In summary, the references, whether taken separately or in combination, do not fairly teach or suggest applicant's claimed invention.

In view of the foregoing, applicant respectfully requests withdrawal of the rejections under §103.

New claims

Applicant submits new claims 42-52 to claim the invention in terms of the receiver that continuously monitors the input. No new matter has been added; support is in the previous claims and specification. Support for the new claims is shown above, and also, for example in paragraph 22:

[0022] ... The data recognizer 18 software preferably continuously monitors the input 40 and output 48 of the wireless device 12 for any new data 30, other data 42, or non-data 32, and for any changes in the then-current type of data 30, other data 42, or non-data 32. When new information or changed information is differentiated by the data recognizer 18, the data recognizer 18 may automatically pass the differentiation to the controller 20, and may notify the user of the change, or may notify the user of the change and await instructions from the user before passing the differentiation to the controller 20, or may pass the differentiation to the controller 20 automatically while the controller 20 awaits instructions from the user, as discussed hereinbelow. [paragraph 22]

CONCLUSION

Neither Angwin, Pascazi, Brachman, nor Raniere teach a voice coder and a CODEC as claimed. Neither Angwin, Pascazi, Brachman, nor Raniere disclose a controller that switches a wireless device between a first internet protocol for voice data and a second internet protocol for non-voice data. These features are found in all of Applicants' independent claims and, therefore, Applicants believe that all other rejected claims are allowable as being dependent upon allowable claims. In light of the foregoing, Applicants respectfully request that the rejections under section 103(a) be withdrawn. Applicants believe that a complete response has been made to the outstanding office action. If the examiner believes that a personal communication would be useful to resolve any outstanding issues, the examiner is invited to call the attorney at the telephone number below.

In the event that additional fees are required or credit is due, authorization is hereby given to charge Deposit Acct. No. 17-0026.

Respectfully submitted,

Dated: January 26, 2006

By: 

James D. McFarland
Attorney for Applicants
Registration No. 32,544

QUALCOMM Incorporated
5775 Morehouse Drive
San Diego, California 92121
Telephone: (619) 651-8840
Facsimile: (619) 658-2502

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